



Tanzania

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The United Republic of Tanzania amended its Constitution in 1992 to become a multiparty state. On October 29, the country conducted its second multiparty national elections for president and parliament. On the mainland, international observers concluded that the elections were free and fair and conducted peacefully. The incumbent President of the mainland, Benjamin Mkapa, was reelected with 71 percent of the vote, and the ruling Chama Cha Mapinduzi (CCM) party made significant gains in its majority in Parliament, winning 167 out of 181 seats. In the October elections, opposition candidates gained 11 seats in 6 of the 19 mainland regions, giving them a total of 14 seats in Parliament in 8 out of 20 regions. In the 5 administrative regions of Zanzibar, the opposition Civic United Front (CUF) won 16 seats. The islands of Zanzibar are integrated into the United Republic's governmental and party structure; however, the Zanzibar Government, which has its own president and parliament, exercises considerable autonomy. In October presidential and parliamentary elections took place in Zanzibar; however, the vote was marred by irregularities, voter intimidation, and politically-motivated violence. Votes were cancelled in 16 constituencies, and new votes were held on November 5. The CUF boycotted the revotes in protest. The ruling CCM party won a majority of 34 seats in the House of Representatives and 35 seats in the National Assembly. The national judiciary is formally independent but suffers from corruption, inefficiency, and executive interference.

The police have primary responsibility for maintaining law and order. They formerly were supported by citizens' anticrime groups and patrols known as "Sungusungu." The Sungusungu remain active in rural areas, but have virtually disappeared from urban areas. There are also Sungusungu groups composed of refugees in most refugee camps that act as quasi-official security forces. The military is composed of the Tanzanian People's Defense Force (TPDF). The People's Militia Field Force (FFU) is a division of the national police force. Security forces regularly committed human rights abuses.

Agriculture provides 85 percent of employment. Cotton, coffee, cashews, sisal, tea, and gemstones account for most export earnings. The industrial sector is small. Economic reforms undertaken since 1986, including liberalization of agricultural policy, the privatization of state-owned enterprises, the rescheduling of foreign debt payments, and the freeing of the currency exchange rate, helped to stimulate economic growth, as has the decline in the rate of inflation. In 1999 the gross domestic product (GDP) was \$8,019 million. The GDP growth rate was 4 percent and per capita GDP equaled \$252 for the first quarter of the year. While the Government has attempted to improve its fiscal management, pervasive corruption constrains economic progress.

The Government's human rights record was poor; while there were improvements in a few areas, there continued to be serious problems. Citizens' right to change their government in Zanzibar continued to be circumscribed severely by abuses of and limitations on civil liberties. Police continued to harass and intimidate members and supporters of the political opposition before and after the October elections. Security forces committed extrajudicial killings and beat and otherwise mistreated suspects. The police in Zanzibar attacked and beat civilians, and there were reports that police in Zanzibar used torture, including floggings. Police also beat demonstrators. Prison conditions remained harsh and life threatening. Arbitrary arrest and detention and prolonged detention remained problems. The inefficient and corrupt judicial system often did not provide expeditious and fair trials. Pervasive corruption, which was documented in the Warioba Commission's 1997 report, continued to have a broad impact on human rights. The Government infringed on citizens' privacy rights and limited freedom of speech and of the press, and freedom of assembly and association. Significant resentment and hostility led to attacks on some refugees. The Government obstructed the formation of domestic human rights groups. Violence and discrimination against women remained serious problems. Abuse of children, female genital mutilation (FGM), and child prostitution were problems. The Government continued to infringe on workers' rights and child labor persisted. There were some instances of forced labor.

Mob justice remained severe and widespread.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political killings; however, the authorities were responsible for a number of extrajudicial killings. Security forces used excessive force while dispersing demonstrations and political meetings on the mainland, which resulted in some deaths (see Section 2.b.). In May FFU officers in Iringa were accused of beating a man to death for not paying a "development levy;" no further information was available on the case at year's end. In July police killed a prisoner while he was in remand. No further information was available on the case at year's end.

In February 1999, two police and two FFU officers were accused of beating to death a prisoner in detention. No further action was taken against those responsible by year's end.

In October 1999, in retaliation for a theft, TPDF soldiers in Dodoma attacked a village, killing one civilian. No further action was taken against those responsible by year's end.

In February 1999, members of the quasi-official citizens' anticrime group known as Sungusungu killed five persons accused of murdering witches in Shinyanga. The case still was under investigation by local authorities, and no further action was taken by year's end.

Prison conditions were harsh and life threatening. A prisoner in Moshi Prison died in July. Although the police denied responsibility, the autopsy showed the body was beaten badly and possibly strangled. The Government had not undertaken an investigation into the incident by year's end (see Section 1.c.).

In 1998 police opened fire on protestors who rioted in Mwembechai when police attempted to disperse a crowd of Muslims protesting the arrest of a popular Muslim leader, killing three persons and wounding several others. Subsequently, 23 Members of Parliament (M.P.'s) demanded parliamentary discussion of police brutality in connection with the incident, but the National Assembly Speaker denied the request, saying that it was an internal police matter. No further action was taken in connection with the matter during the year.

There were no developments in the 1993 police killing of a member of the opposition party Civic United Front (CUF) on the island of Pemba. After a lengthy investigation, the authorities charged the policeman who fired the shots with involuntary manslaughter; the officer remains free on bail. Nearly 8 years after the event, the case still has not gone to trial. Observers believe that the case will never be tried.

Instances of mob justice against suspected criminals continued to claim dozens of lives. Throughout the year, the media reported numerous incidents in which mobs killed suspected thieves, who were stoned, lynched, beaten to death, or doused with gasoline and set on fire. Such events are so common that they often are grouped together in newspapers with reporting on car accidents and other mishaps. Many instances never are reported. The widespread belief in witchcraft has led, in some instances, to the killing of alleged witches by their "victims," aggrieved relatives, or mobs. The Government estimated in 1998 that in the Mwanza region alone at least 50 persons are killed every year by those who believe them to be witches. Government officials criticized these practices and some arrests were made; however, most perpetrators of witch killing or mob justice elude arrest, and the Government did not take preventive measures during the year.

On October 6, 21 persons were beaten to death and 50 injured in a clash over a theft between ethnic Sonje and Maasai groups (see Section 5).

There was continuing concern over violence allegedly perpetrated by some Burundian and Rwandan refugees, although such violence has diminished since 1999 (see Section 1.c.). Local officials complained that refugees committed killings and robberies. In a well-publicized case, Burundian refugees were accused of killing a local schoolteacher in May 1999, and in a reprisal attack, a group of men raped approximately 50 refugee women (see Section 1.c.).

On August 7, 1998, terrorists bombed the U.S. Embassy in Dar Es Salaam, killing 11 persons and injuring more than 85 others. The Government cooperated with international efforts to apprehend the suspects; one

suspect was arrested in 1999, and the trial was scheduled for early 2001.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the use of torture and inhuman or degrading treatment; however, the police regularly threaten, mistreat, or occasionally beat suspected criminals during and after their apprehension and interrogation. Police also use the same means to obtain information about suspects from family members not in custody (see Section 1.f.). There were reports that police in Zanzibar use torture. Police and security forces used beatings and other forms of physical abuse regularly by police and security forces to disperse large gatherings and as a form of public punishment. Although government officials usually criticize these practices, the Government seldom prosecutes police for such abuses.

Incidents of police brutality occurred during the year. Repeated reports indicate that the police used torture, including beatings and floggings, in Zanzibar, notably on the island of Pemba. Both the Zanzibar and Union Governments have denied these charges, and no action was taken against those responsible for abuses. There were numerous reports that police randomly beat pedestrians, bicyclists, and automobile drivers that they had stopped at intersections. For example, in April CUF supporters severely beat and injured two police officers who sought to break up an indoor opposition meeting (see Sections 1.d. and 2.b.). In response, the police in the following 2 weeks randomly attacked and beat pedestrians and passers-by on the streets of Stone Town. In April the Union Inspector General Omari Mahita, said publicly that the show of force was needed to restore respect for the police force in Zanzibar. Beginning on April 6 and continuing throughout the month, there were credible reports of police brutality in Zanzibar. On April 12, there were reports that police officers marched through Stone Town and indiscriminately beat passers-by, including children, with batons and rifle butts. Several persons received injuries that required medical treatment, including a 13-year-old girl with a fractured elbow.

Credible evidence indicates that police seriously injured children as young as 7 years of age and elderly residents, in some cases inflicting limb fractures and facial scars. There also was credible evidence that during this period, police officers shot and injured a bicyclist and threw him into a ditch. Several diplomatic missions formally criticized the Government for these abuses. The Government had not investigated the incident nor punished the responsible officers by year's end.

On January 19, police used tear gas to disperse riots that began when hundreds of CUF supporters were not allowed to observe the trial of 18 CUF supporters accused of treason (see Section 1.d.). The incident lasted for 4 hours, and approximately 70 persons were injured, including some police officers (see Sections 1.e. and 3). Several persons were arrested and detained during the incident.

In early October, eight members of the FFU reportedly beat a man after they took him into custody (see Section 1.d.).

On October 11, police shot and injured six CUF supporters at a CUF-sponsored election rally at a party office in Zanzibar (see Sections 2.b. and 3). Members of the TPDF who arrived after the shootings criticized the FFU for not following correct procedures; however, the police had not investigated the incident nor punished the responsible officers by year's end.

On October 28, police beat a man during a CUF meeting after he reportedly did not move his food stand quickly enough for the police (see Section 2.b.).

On October 29, Fortunatus Masha, an opposition candidate who was vice-chairman of his party was beaten and injured by police in Mwanza district during an altercation at a ballot counting center over possible ballot rigging in favor of the CCM party.

On October 30, police used excessive force and beat both demonstrators and bystanders during rallies and demonstrations in the Darajani district of Stone Town in Zanzibar (see Sections 2.b. and 3). FFU officers beat and shot demonstrators, who were chanting antigovernment slogans, resulting in a number of injuries and arrests. On October 30, police also used tear gas, rubber bullets, and live ammunition against CUF opposition activists in Zanzibar, injuring six persons. There also were reports that police beat with truncheons and rifle butts at least 15 persons whom they had forcibly removed from shops.

On October 29, police injured several persons whom they arrested at a CUF office in Pemba (see Section 1.d.).

After the elections, police reportedly beat persons for violating a 7 p.m. curfew imposed in Wete, Pemba (see Section 1.f.).

On November 1, a group of CCM members reportedly beat several CUF officials in Stone Town in Zanzibar as police watched without intervening.

In November police reportedly broke the jaw of a detainee (see Section 1.d.).

There were reports of beatings and assault by police officers and army units in areas around roadblocks in Pemba. Police reportedly targeted elderly, infirm, and mentally ill persons (see Section 2.d.).

During the repeat elections on November 5, police beat and reportedly tortured opposition officials in Zanzibar (see Section 3). There were reports that police beat and tortured opposition officials who they had taken at gunpoint to a beach. There were reports that police beat and whipped two CUF supporters, and forced them to lie in the street in urine.

Pervasive corruption is a serious problem in the police force (see Section 1.d.). The Government took some steps during the year to discourage and punish such abuses. In July the police force began an internal investigation of a police officer in Dar Es Salaam accused of harassing and attempting to bribe a local businessman. The spokesperson for the police force stated that if the police officer was found guilty, the police force would take "exemplary" measures; however, no action was taken on this case by year's end.

The People's Militia Laws, as amended by Parliament in 1989, bestow quasilegal status on the traditional Sungusungu neighborhood and village anticrime groups. Participation in these groups was compulsory prior to the 1995 election. In the past, these groups were criticized for using excessive force against criminal suspects. While largely moribund since 1995, the Sungusungu still exist, particularly in rural areas such as the Tabora, Shinyanga, and Mwanza regions. As a result of the President's 1997 initiative to have government law enforcement officials work cooperatively with Sungusungu, members of Sungusungu were given additional benefits on a par with those given to members of the police officials, including the right to arrest persons. In return members of Sungusungu were to be held accountable for any abuses; during the year, one member was prosecuted for abuses, and three others reportedly were sentenced to 30 years in prison for killing civilians in Tabora.

On November 6, a bomb exploded at a school in Stone Town in Zanzibar that was being used as a polling office for the November 5 re-run elections (see Section 3). No group had claimed responsibility by year's end.

On October 6, 21 persons were beaten to death and 50 injured in a clash over a theft between ethnic Sonje and Maasai groups (see Section 5).

As a result of increased criminal activity allegedly perpetrated by some Burundian refugees, there is significant hostility and resentment against Burundian refugees. In May 1999, in Kasulu, approximately 50 Burundian refugee women collecting firewood allegedly were attacked and raped by villagers in reprisal for the killing of a local teacher (see Sections 1.a. and 2.d.). Eleven men were arrested for the rape in 1999. On December 17, the case was dismissed on a technicality. The police appealed the magistrate's decision to the High Court in Tabora, which overturned the dismissal and remanded the case to the lower court for retrial. The retrial was pending in Kigoma at year's end.

There was continuing concern over violence allegedly perpetrated by some armed Burundian and Rwandan refugees, although such violence has diminished since 1999. Local officials reported incidents of banditry, armed robbery, and violent crime, perpetrated by refugees in the areas surrounding refugee camps (see Sections 1.a. and 5). Women and girls in refugee camps suffered a high level of rape and gender abuse perpetrated by other refugees (see Section 5). There were also credible reports that some refugees engage in vigilante justice within camps, occasionally beating other refugees (see Section 2.d.).

Prison conditions remained harsh and life threatening. Government officials acknowledged that prisons are overcrowded, and living conditions are poor. The prisons were designed to hold 21,000 persons, but the actual prison population is estimated at 43,000 persons; an estimated 40 percent of this number are remandees. The Government is expanding prisons, but its efforts have not kept pace with the growing number of prisoners. Some prisoners are paroled or receive suspended sentences as a means of relieving overcrowding problem. The Government did not release statistics on the prison expansion program or on the

exact extent of the overcrowding during the year. The daily amount of food allotted to prisoners is insufficient to meet their nutritional needs, and even this amount is not provided regularly. Convicted prisoners are not allowed to receive food from outside sources and often are moved to different prisons without notification to their families. In April a prisoner on remand alleged that he was held for 4 days without being given food (see Section 1.d.).

In 1998 the Commissioner of Prisons stated that his department received inadequate funds for medicine and medical supplies. Prison dispensaries only offer limited treatment, and friends and family members of prisoners generally must provide medication or the funds with which to purchase it. Serious diseases, such as dysentery, malaria, and cholera, are common and result in numerous deaths. Amnesty International visited the prison and reported that 18 CUF prisoners who were in prison on treason charges were denied adequate medical treatment while in the Zanzibar Central Prison (see Section 1.d.). However, the International Committee of the Red Cross (ICRC) visited the 18 CUF prisoners and reported that they consistently were given better food, space, and medical treatment than other prisoners held in the same location. A prisoner in Moshi Prison died in July (see Section 1.a.). Prison officials claim the death was a result of tuberculosis and AIDS, but the autopsy that showed the body was badly beaten. There are credible reports that guards beat and abuse prisoners. There were reports that prisoners were strip-searched in front of other prisoners. The Warioba Commission released in 1997 reported that wardens give favorable treatment to certain prisoners at the expense of others. Pretrial detainees are held together with those serving sentences but are allowed to receive food from the outside.

The Prisons Act requires that prisoners be separated based on age and gender, and female prisoners are held separately from male prisoners in practice. Women sent to remand prison report being forced to sleep naked and being subjected to sexual abuse by wardens. Juveniles are protected under both the Prisons Act and the Young Persons Ordinance Act, which also requires separation according to age. However, there are limited resources to provide for juveniles and only two juvenile detention facilities in the country, and as a result juveniles are not always separated from adults in practice.

Local nongovernmental organizations (NGO's) are permitted to monitor prison conditions; however, the Government has not granted permission to international NGO's to monitor prison conditions. The ICRC was permitted to visit select groups of prisoners 4 times per year, including the 18 CUF members arrested in Zanzibar, and combatants imprisoned in the western part of the country. The Government requested ICRC assistance with a cholera outbreak in mainland prisons during the year. It also invited the ICRC to monitor conditions in a small prison that holds special categories of refugees that are not included under UNHCR jurisdiction, such as combatants. The Government denied a request from the U.N. High Commissioner for Refugees (UNHCR) to visit refugees in prisons in Dar Es Salaam.

d. Arbitrary Arrest, Detention, or Exile

Arbitrary arrest and detention are problems. The Criminal Procedure Code, amended in 1985, requires that a person arrested for a crime, other than a national security detainee under the Preventive Detention Act, be charged before a magistrate within 24 hours; however, in practice the police often fail to comply. During the year, authorities on the mainland and in Zanzibar arrested or threatened with arrest opponents of the Government for acts that it regarded as seditious.

The 1985 amendments to the Criminal Procedure Code restricted the right to bail and imposed strict conditions on freedom of movement and association when bail is granted. Because of backlogs, an average case takes 2 to 3 years or longer to come to trial. Observers estimate that only approximately 5 percent of persons held in remand ultimately are convicted, and in many cases, those convicted already had served their full sentences before their trial was held. On March 10, inmates at Keko remand prison went on a hunger strike to press for prompt hearings of their cases. Court officials stated that the cases had been delayed because of a lack of funds.

In April authorities held a drug suspect in Moshi in remand for 4 days without questioning him, despite a law that requires detainees be questioned within 48 hours of their arrest. The detainee alleged that he was held without food during that time. There was no further information available on the case at year's end.

In some cases, accused persons are denied the right to contact a lawyer or talk with family members. Bribes often determine whether bail is granted or even whether a case is judged as a civil or criminal matter. There are reports of prisoners waiting several years for trial because they could not pay bribes to police and court officials. The authorities acknowledge that some cases have been pending for several years.

Under the Preventive Detention Act, the President may order the arrest and indefinite detention without bail of any person considered dangerous to the public order or national security. This act, as amended in 1985,

requires that the Government release detainees within 15 days of detention or inform them of the reason for their detention. A detainee also is allowed to challenge the grounds for detention at 90-day intervals. The Preventive Detention Act has not been used for many years nor was it used during the year; however, despite a landmark ruling by the Court of Appeal in 1991 that the Preventive Detention Act could not be used to deny bail to persons not considered dangerous to society, the Government still has not introduced corrective legislation. In 1992 the Nyalali report on repressive laws, drafted by the president-appointed Nyalali Commission in 1992, recommended that the act be repealed; however, in 1998 the Government stated that there was no need to rewrite the Constitution or repeal any legislation, including the Preventive Detention Act. The Government has additional broad detention powers under the Regions and Regional Commissioners Act and Area Commissioners Act of 1962. These acts permit regional and district commissioners to arrest and detain for 48 hours, persons who may "disturb public tranquillity."

Police continued to make arbitrary arrests, often as a means of securing money. In previous years, the police occasionally arrested relatives of criminal suspects and held them in custody without charge for as long as several years in an attempt to force suspects to surrender; however, there were no reports of this occurring during the year. Such detainees who managed to get their cases before a judge usually were set free; however, some were rearrested immediately when they left the courtroom.

On April 1, police arrested CUF leader Seif Shariff Hamad at an indoor CUF meeting in Zanzibar; on April 3, he was released on bail. In April police launched a campaign to apprehend persons who had attacked police officers attempting to break up the meeting (see Section 1.c.), and arrested numerous persons on the streets. Police also broke into homes and businesses, beat persons inside, arrested and detained them, and charged them with loitering and breach of the peace.

In December four persons reportedly were arrested for the November gasoline bombing of a primary school that housed a polling station. The four still were in custody at year's end.

There were reports that at least 150 CUF members were arrested in the aftermath of the October 29 elections. After the new Zanzibar President Amani Karume took office in October, he pardoned and released all detainees arrested in connection with the elections.

There were numerous arrests in Pemba after the October elections. On October 29, authorities reportedly arrested 12 persons in a CUF office in Wete, Pemba, and injured several of them during the arrest. An appeal was filed in November, and the case was still pending at year's end. In November 10 persons reportedly were arrested on charges of setting off gasoline explosives at a hotel in Wete, Pemba. The 10 suspects reportedly remained in custody at year's end and were not granted bail. In November six persons reportedly were arrested on charges of attempted manslaughter of a Zanzibar Electoral commission officer in Wete, Pemba. Their bail reportedly was set at \$875 (700,000 shillings), which the detainees' defense counsel argued was so high that it amounted to "technically denying bail" to the accused. In early November, four persons reportedly were arrested for allegedly setting off a bomb in Wete, Pemba. They reportedly remained in custody at year's end, and their case was pending.

On the mainland, police reportedly arrested Pembans without charge and forcibly returned them to Pemba under police custody.

In September an opposition Member of Parliament (M.P.) was detained in Songea on allegations of causing a breach of peace at a police station where she had gone to determine why her supporters had been detained. She was held in remand and released without charges.

Several journalists were arrested and detained by police following the October 29 elections in Zanzibar (see Section 2.a.).

There were reports that police at times arrested innocent persons, accuse them of fictitious crimes, and withdraw or reduce the charges upon payment of bribes. During 1999, there were several complaints that police regularly hide their badge numbers while on duty so that complainants cannot report abuses; however, there were no such confirmed reports during the year. The Government began to take action during the year to punish police for abuse of their positions. For example, in November the district commissioner in Songea removed a police official from his duties for "ignoring ethics." In November there were also reports that two police officers were fired for corruption in Tabora.

In October 1999, the authorities arrested and detained opposition leader Augustine Mrema for making derogatory statements about President Mkapa's wife and the NGO that she operates. Mrema was also charged with sedition for statements he made about former President Julius Nyerere. Although most of the charges were dropped due to insufficient evidence, Mrema was scheduled to be tried in February 2001 for

three charges of sedition, based on the claim that he presented fraudulent documents to Parliament. In November 1999, the authorities arrested opposition leader Reverend Christopher Mtikila and a boy for distributing audiocassettes, which contained derogatory statements about Nyerere. The boy was released on bail, but Mtikila remained in detention. In February a magistrate temporarily adjourned Mtikila's sedition trial. In October he was charged again with sedition, detained, and prevented from campaigning during the last weeks before the October elections. In November the charges were dropped, and he was released (see Sections 1.d., 2.a., and 3).

In January authorities dropped the charges against Dr. Walid Kaborou, the Kigboma regional chairman of the Chadema Party and Chadema Party candidate, who had been arrested in 1999 for inciting the public to violence as a result of Chadema's challenge to the results of a local by-election. After 35 days in detention, Kaborou was released with no charges filed against him (see Sections 2.a. and 3).

Since the 1995 election, police in Zanzibar, particularly on Pemba, regularly have detained, arrested, or harassed CUF members and suspected supporters. Despite orders from the Union Government's Inspector General of Police, officers in Zanzibar continued these activities. In 1997 and 1998, police arrested 18 CUF officials, including M.P.'s, and charged them in January with treason for attempting to overthrow the Zanzibar Government. Treason, which is a nonbailable offense, carries a mandatory death sentence. On January 19, the Zanzibar High Court began trial proceedings against the CUF officials. The first court session was marred by violence when police fired tear gas and used batons against supporters and family members of the defendants who were protesting their lack of access to the High Court gallery (see Section 1.c.). Fifteen persons were arrested. The defendants had been held without bail since November 1997. The trial proceeded slowly and was suspended in August, pending a defense request for the Court of Appeals to invalidate the treason charges. On November 9, the High Court dismissed the case on instructions from incoming President Karume and released the 18 defendants.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, it suffers from executive interference, corruption, and inefficiency. Nevertheless, the higher courts increasingly have demonstrated independence from the Government. Senior police or government officials no longer pressure or reassign judges who make unpopular rulings. However, independent observers continued to criticize the judiciary, especially at lower levels, as corrupt and inefficient, and questioned the system's ability to provide a defendant with an expeditious and fair trial. The Warioba Commission reported in 1997 that pervasive corruption affected the judiciary from clerks to magistrates. Clerks took bribes to decide whether or not to open cases and to hide or misdirect the files of those accused of crimes. Magistrates occasionally accepted bribes to determine guilt or innocence, pass sentences, withdraw charges, or decide appeals. In April the Minister of Justice acknowledged in public statements that problems within the judiciary include unwarranted delays in the hearing of cases, falsified recording of evidence in court records, bribery, improper use or failure to use bail, and unethical behavior on the part of magistrates. The Court of Appeals delayed hearing any cases from 1999 until the backlog of cases from 1997 and 1998 have been heard (see Section 1.b.). Judicial ethics committees were established by statute in 1997 but could not begin operating until committee members were trained; the first training course was conducted in late 1999. The ethics committees were tasked with drafting recommendations to improve the credibility and conduct of the judiciary; however, they had not yet drafted a report by year's end. The committees have no mechanism to redress grievances or enforce decisions, and are weak and ineffective. The Government made some progress in addressing judicial corruption. During the year, several magistrates were arrested after the Chief Justice was presented with credible evidence of their corruption.

The legal system is based on the British model, with modifications to accommodate customary and Islamic law in civil cases. Christians are governed by customary or statutory law in both civil and criminal matters. Muslims may apply either customary law or Islamic law in civil matters. The court system consists of primary courts, district courts, the High Court, and the Court of Appeal. Advocates defend clients in all courts, except in the primary courts. There is no trial by jury. In addition to judges, there are district (or resident) magistrates. The law also provides for commercial courts, land tribunals, housing tribunals, and military tribunals. Military courts do not try civilians, and there are no security courts. Defendants in civil and military courts may appeal decisions to the High Court and Court of Appeal. In refugee camps, Burundian mediation councils called abashingatahe, comprised of male refugee elders, often handle domestic abuse cases of Burundian refugees even though the law does not allow these councils to hear criminal matters.

Zanzibar's court system generally parallels that of the mainland but retains Islamic courts to adjudicate Muslim family cases such as divorce, child custody, and inheritance. Islamic courts only adjudicate cases involving Muslims. Cases concerning Zanzibar constitutional issues are heard only in Zanzibar's courts. All other cases

may be appealed to the national Court of Appeal.

Criminal trials are open to the public and to the press; courts must give reasons on the record for holding secret proceedings. Criminal defendants have the right of appeal.

Bail is set on a discretionary basis by judges based on the merits of each case (see Section 1.d.). However, there is no bail in murder or armed robbery cases.

The code provides for a right to defense counsel. The Chief Justice assigns lawyers to indigent defendants charged with serious crimes such as murder, manslaughter, and armed robbery. There are only a few hundred practicing lawyers in the country, and most indigent defendants charged with lesser crimes do not have legal counsel.

A separate facility for young offenders was established in 1997; however, the court is underutilized and many juvenile offenders still are tried in adult courts. In 1998 a magistrate ordered prosecutors to stop prosecuting juveniles in adult courts; however, because of the huge backlog in the country's only juvenile court, some cases continue to be sent through the traditional court system where they are processed faster because of a less significant backlog than in the regular civil court system.

There were no reports of political prisoners on the mainland; however, 18 CUF members accused of treason were held as political prisoners in Zanzibar until they were released in November (see Section 1.e.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution generally provides for these rights; however the Government continued to interfere with these rights. During the years in which Tanzania was a one-party state, the CCM penetrated all levels of society through local cells, varying in size from single family homes to large apartment buildings and containing from 10 to 200 persons. Unpaid party officials served as 10-cell leaders with authority to resolve problems at the grassroots level and to report to authorities any suspicious behavior, event, or noncompliance with compulsory night patrol service in the neighborhood. The role of the cells has diminished considerably, particularly in areas where opposition parties are strong; however, the CCM remained influential. While in the past CCM membership was necessary for advancement in political and other areas, CCM membership is voluntary. Although in past years some government employees, particularly in Zanzibar, who supported opposition candidates lost their jobs, and some students were expelled from school because of their families' political affiliation.

The Criminal Procedures Act of 1985 authorizes police officials, including the civilian anticrime groups, to issue search warrants; however, the act also authorizes searches of persons and premises without a warrant if necessary to prevent the loss or destruction of evidence connected with an offense or if circumstances are serious and urgent. In practice police and members of other security services rarely requested warrants and often searched private homes and business establishments at will. The security services reportedly monitor telephones and correspondence of some citizens and foreign residents.

Although in previous years, police threatened, mistreated, occasionally beat, and arrested relatives of criminal suspects and detained them without charge in an effort to force suspects to surrender, there were no reports of this occurring during the year.

In April police broke into homes and businesses in Zanzibar, beating and arresting those inside and destroying property (see Sections 1.c. and 1.d.). There were also credible eyewitness reports of police breaking into shops and looting in Stone Town, in the presence of union police officials from the mainland.

There were reports that police and army units made nightly rounds in Pemba following the elections, conducting house-to-house searches (see Sections 1.c. and 2.d.).

In 1999 the Government repealed the Human Resources Deployment Act of 1983, which allowed forced labor and forced relocation of citizens to ensure productive employment. The new law, the Employment Services Promotion Act of 1999, does not permit either forced labor or forced relocation (see Sections 2.d. and 6.c.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government limited these rights in practice. Various laws, such as the Newspaper Act and the Broadcasting Act, limit the media's ability to function effectively. Government ministers and the Registrar of Newspapers pressure journalists to practice self-censorship. The Government denied political opponents unrestricted access to the media. In August the Government banned the book, "The Mwembechai Killings and the Political Future of Tanzania" for being "incendiary." Unlike the previous year, the Government did not ban any newspapers.

On October 28, members of the FFU beat up, detained, and confiscated the film of a photojournalist; he was released after several hours of questioning.

Except in Zanzibar, citizens generally enjoyed the right to discuss political alternatives freely, although there were instances in which the freedom of speech was restricted severely. Political parties are required by law to support the continuation of the Union. Opposition political party members and others openly criticize the Government and ruling party in public forums; however, persons using "abusive language" against the country's leadership may be subject to arrest, and the Government used this provision to detain some opposition figures (see Section 1.d.). For example, Reverend Christopher Mtikila was held on sedition charges for making comments abusive to the Government (see Section 1.d.).

In June charges were dropped due to insufficient evidence against opposition leader Augustin Mrema, who was detained for 18 days in April and in 1999 for making derogatory statements about President Mkapa's wife and using seditious words against the late President, Julius Nyerere (see Section 1.d.).

In February a magistrate temporarily adjourned the sedition trial of Reverend Christopher Mtikila, a leader of the Democratic Party, who was arrested in late 1999 for distributing audiocassettes that contained derogatory statements about former President Nyerere. In October Mtikila was detained and charged with sedition for alleging during a campaign speech in Singida that former President Julius Nyerere had died of HIV/AIDS, and prohibited from campaigning during the last weeks before the October national elections (see Sections 1.d. and 3).

In January Dr. Walid Kaborou, an opposition M.P. who was arrested for sedition in late 1999, was released after 35 days in detention. No charges were filed against him (see Sections 1.d. and 3).

In Zanzibar the Government controls radio and television, and also implements a restrictive policy with regard to print media. In 1998 a Zanzibar government minister threatened three newspapers because of their allegedly negative reporting. Soon thereafter, amendments to the Zanzibar News Act further circumscribed journalists' freedom of action, by giving authorities greater protection for the harassment, detention, and interrogation of journalists. Private mainland newspapers are widely available in Zanzibar, and many residents can receive mainland television.

On January 19, police confiscated a journalist's notebook and camera at a demonstration outside the courtroom where 18 CUF members were being tried in Zanzibar (see Section 1.d.).

In June at a political rally in Zanzibar, a regional CCM official, in the presence of President Mkapa, threatened an international radio journalist with physical harm for allegedly broadcasting politically biased reports about Zanzibar.

Several journalists were arrested and detained by police following the October 29 elections in Zanzibar (see Section 2.a.). For example, on November 1, authorities in Zanzibar arrested and detained a British Broadcasting Corporation correspondent for allegedly kidnaping and assaulting two women after he interviewed the women and broadcast their comments about witnessing voter fraud during the elections; he was released later without being charged.

The press on the mainland is, on the whole, lively and outspoken. Even the government-owned newspaper regularly reports events that portray the Government in an unflattering light. There are 9 daily newspapers and 15 other newspapers in English and Kiswahili, along with another dozen periodicals, some of which are owned or influenced by political parties, both the CCM and the opposition. There is no official censorship, but throughout the year the Government continued to pressure newspapers to suppress or change articles unfavorable to it in some instances. In October 1999, the Government revoked the registration of 291 publications that had not published during the previous 3 years.

Private radio and television stations broadcast in Dar Es Salaam and in a few other urban areas, although their activities may be circumscribed. The Government reportedly does not censor news reports, but attempts to influence their content. Some journalists, such as those in Zanzibar, exercise self-censorship on sensitive problems. Journalists who report arrests can be charged with obstructing police activity under the 1964 Police

Act. The Parliamentary Power, Privileges, and Immunities Act gives the Government authority to prevent television cameramen from filming the swearing-in of an opposition Member of Parliament, and the Government occasionally did so during previous years; however, there were no documented cases reported of this occurring during the year.

The Union Government sought to maintain some control over the private media with the establishment in 1997 of a code of conduct for journalists and a media council. With the leadership of the local chapter of the Media Council for Southern Africa and the Association of Journalists and Media Workers, journalists forced the Government to agree in 1995 to a voluntary code of ethics and establishment of a Media Council intended to preserve and expand media freedom. The Council was inaugurated formally in August 1997, although it began operating in 1995. Although it initially proved ineffectual except as a sounding board for complaints against the media, the Council operated with some effectiveness during the year. The Council received approximately 20 cases for adjudication during the year. The Council serves as an adjudicating body when journalists infringe upon the code of ethics and has the power to impose fines. The Council consists of university professors and media lawyers, in addition to Judge Joseph Sinde Warioba. The president of the Council, Professor Geoffrey Mmari, has complained publicly that the laws governing the media are outdated.

Academic freedom generally is respected in practice. Academics, increasingly outspoken in their criticism of the Government, continued their calls for reform during the year and were particularly critical of the union Government's actions in response to the political situation in Zanzibar.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of peaceful assembly; however, the Government limits this right in practice. Political parties that seek to hold rallies must give the police 48 hours' advance notice. Police have the authority to deny permission on public safety or security grounds or if the permit seeker belongs to an unregistered organization or political party. Authorities arrested citizens for assembling without the appropriate permit. For example, on June 27 authorities arrested CUF leaders for holding a rally without a permit in Dar es Salaam.

Opposition parties, other than in Zanzibar, generally are able to hold rallies; however, CUF meetings have been banned periodically since 1995. In Zanzibar and Dar es Salaam, CUF rallies were more restricted than those of other political parties. CUF rallies were banned at least once in Dar es Salaam and several times in Zanzibar before the October elections. Several rallies were prevented through indirect means as cutting off electricity for loudspeakers, citing ad hoc time limits, and scheduling the same rally times for more than one group. Security officials interfered with citizens' rights to assemble peacefully on numerous occasions (see Section 1.d. and 3).

Police continue to break up meetings attended by persons thought to be opposed to the Zanzibar Government. In Pemba security forces broke up gatherings and intimidated opposition party officials. On January 19, police used tear gas indiscriminately to disperse a crowd outside a courthouse in Zanzibar during a riot, injuring 70 persons (see Section 1.c.). On April 1, police officers attempted to break up a CUF meeting at a party branch office in Zanzibar, despite the fact that the indoor meeting did not require a permit. In August police used tear gas and bullets to disperse demonstrators in Zanzibar (see Section 1.c.). On October 11, police forcibly dispersed a CUF-sponsored election rally at a party office in Zanzibar; police used tear gas and shot and injured six CUF supporters (see Section 1.c.). The police opened fire on the demonstrators after they threw stones at a police car. The activists were demonstrating in protest of the decision by Zanzibar election officials to annul the vote in 16 constituencies because of voting irregularities (see Section 3). Police were criticized for not following the correct procedures and for using excessive force to respond to the incident by firing shots at demonstrators. On October 28, police and army units circled a CUF meeting in Zanzibar, and shot bullets into the air during the presidential candidate's speech.

Police used excessive force during rallies and demonstrations protesting the October 29 elections in Zanzibar (see Section 1.c.). On October 30, police beat both demonstrators and bystanders during rallies and demonstrations in the Darajani district of Stone Town in Zanzibar (see Sections 2.b. and 3). FFU officers beat and shot demonstrators, who were chanting antigovernment slogans, resulting in a number of injuries and arrests (see Section 1.c.).

The Government continued to arrest opposition politicians for holding meetings, distributing information, and other acts that it regarded as seditious (see Sections 1.d. and 3).

The Constitution provides for freedom of association; however, the Government limits this right in practice. The Registrar of Political Parties has sole authority to approve or deny the registration of any political party and is responsible for enforcing strict regulations on registered or provisionally registered parties. The Constitution

and other legal acts stipulate that citizens cannot establish new political parties; candidates must be members of 1 of the 13 registered political parties. The Electoral Law prohibits independent candidates; requires all standing M.P.'s to resign if they join another party; requires all political parties to support the union with Zanzibar; and forbids parties based on ethnic, regional, or religious affiliation. Parties granted provisional registration may hold public meetings and recruit members. They have 6 months to submit lists of at least 200 members in 10 of the country's 25 regions, including 2 regions in Zanzibar, in order to secure full registration and to be eligible to field candidates for election. Unregistered parties are prohibited from holding meetings, recruiting members, or fielding candidates. In October 1999, the Registrar of Political Parties stated that the registration provisions were too restrictive; however, no action was taken during the year to reform the provisions. One new party, Chama Cha Demokrasia Makini, was granted provisional registration in June.

The most prominent unregistered party is the Reverend Christopher Mtikila's Democratic Party, which advocates the dissolution of the union and the expulsion of minorities from the mainland. Despite his party's lack of government recognition, Mtikila was able to publicize his views through his legally registered church and through ongoing lawsuits against the Government. In spite of his criticism of the Government, Mtikila campaigned actively for the October general elections after a magistrate temporarily adjourned Mtikila's sedition trial to allow him to campaign (see Sections 1.d. and 2.a.).

Under the Societies Ordinance, the Ministry of Home Affairs must approve any new association. The Government suspended registration of new NGO's in 1997, pending the enactment of new NGO legislation, which was scheduled for late 1997; however, such legislation was not introduced and details of the proposed legislation (which is viewed as restrictive) still were being discussed within the Government, with some input from NGO's, at year's end. In the interim, new applications for registrations were considered under the Societies Ordinance and the Trustees Ordinance. There were 8,250 registered NGO's as of June. During the year, the Government continued a general suspension of registration of religious NGO's on the grounds that many were being formed for the purpose of evading taxes (see Section 2.c.). During the year, the Government denied registration to eight NGO's for abusing their exemptions by selling for profit goods that they brought into the country duty-free. The Government continued to harass the National Women's Council for allegedly engaging in political activity contrary to its charter. The Government struck the organization from the register in 1997, but the High Court overturned this action in 1999. The Government appealed the case to the Court of Appeal, but the Court has delayed hearing any cases from 1999 until the backlog of cases from 1997 and 1998 have been heard (see Section 1.e.). The National Women's Council continued to operate at year's end.

A number of professional, business, legal, and medical associations only have begun to address political topics. In 1999 the Government denied registration to the NGO Defenders of Human Rights in Tanzania (see Section 4), after withholding it for more than 3 years. In 1999 the Government also denied a youth group registration on the grounds that there already was a youth organization affiliated with the CCM. Zanzibar has a separate NGO registration policy from the mainland, which is less restrictive; however, there was minimal NGO activity in Zanzibar during the year.

c. Freedom of Religion

The Constitution provides for freedom of religion and the Government generally respects this right in practice, subject to measures that it claims are necessary to ensure public order and safety. The Government does not penalize or discriminate against any individual on the basis of religious beliefs or practices, and it does not designate religion on any passports or records of vital statistics. However, individual government officials are alleged to favor persons who share the same religion in the conduct of business.

The Government requires that religious organizations register with the Registrar of Societies at the Home Affairs Ministry. In order to register, religious organizations must have at least 10 followers and must provide a constitution, the resumes of their leaders, and a letter of recommendation from their District Commissioner. Christian groups also must provide letters of recommendation from the leaders of three registered Christian churches or from a Christian Council of a similar denomination. Muslim groups also must have letters from the leaders of three registered mosques. These additional requirements apply to other religious organizations in the same manner. There were no reports that the Government refused to register any religious groups that met registration criteria; however, during the year, the Government continued a general suspension of registration of religious NGO's on the grounds that many were being formed for the purpose of evading taxes (see Section 2.b.).

The law prohibits preaching if it incites persons against other religions. Following riots in Mwembechi in 1998, triggered by the arrest of a popular Muslim leader, the Government charged that some religious leaders were inciting their adherents to violence. In August government officials warned religious leaders to avoid using religion to incite their adherents to violence during and after the October election campaign.

The Government failed to respond to growing tensions between the Muslim and Christian communities (see Section 5). The Government appeared to recognize that a problem exists, but it chose not to take action. The Government cancelled several meetings with Muslim and Christian leaders aimed at improving relations between the two communities. Even senior Muslim officials in the Government appear unwilling to address the problem, aside from general criticism of those who would foment religious conflict.

National and regional parole boards, constituted in 1998, were dissolved when it was found that they did not include Muslim members, and the Government named new boards in January 1999. It was disclosed in February 1999 that the Government was investigating reports that the National Muslim Council of the country was receiving millions of dollars from unknown sources in the Middle East and was considered a possible "security risk." The Government had not released publicly the results of the investigation by year's end.

Christians are governed by customary or statutory law in both civil and criminal matters. Muslims may apply either customary law or Islamic law in civil matters. Zanzibar's court system generally parallels the mainland's legal system but retains Islamic courts to adjudicate cases of Muslim family law, such as divorce, child custody, and inheritance (see Section 1.e.).

The Government has banned religious organizations from involvement in politics. In July Parliament passed a law which imposes fines and jail time on political parties who campaign in houses of worship or educational facilities. In September the Muslim Council of Tanzania, a private organization, indefinitely closed a school in Singida for holding a CUF political meeting on its grounds.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

In the previous year, the Government imposed some limits on these rights; however, in 1999 the Government repealed the Human Resources Act of 1983, which allowed the arbitrary transfer of citizens from one district to another in order to ensure that all citizens were engaged in productive employment (see Section 6.e.). The National Employment Service Act provides for training of youths to be self-employed and eliminates the ability of officials to move residents from one location to another.

Passports for foreign travel may be difficult to obtain, mostly due to bureaucratic inefficiency and officials' demands for bribes. Citizens can return without difficulty.

Mainlanders are required to show identification to travel to Zanzibar, although the requirement is largely ignored in practice; however, Zanzibaris need no special identification to travel to the mainland. Mainlanders are not allowed to own land in the islands, except in partnership with foreign investors. There is no prohibition against mainlanders working in the islands; however, in practice few mainlanders are hired.

After the October elections, a curfew was imposed on Wete of Pemba. Any persons observed by the police after 7 p.m. were ordered to return home. There were also reports of beatings by the police (see Section 1.c.).

Police set up six roadblocks in Pemba after the elections; there were reports that police beat and assaulted persons in the area (see Section 1.c.).

There were reports of police harassment of Pembans on the mainland. Police reportedly arrested persons without charge and returned them to Pemba under police custody. At least 20 persons reportedly were returned by year's end.

The law includes provisions for the granting of refugee and asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol, and these provisions were respected in practice with a few exceptions. The Government granted prima facie refugee status to an estimated 500,000 refugees during the year. The Government cooperates with the U.N. High Commissioner for Refugees. The Government traditionally has maintained a generous open border policy both with regard to neighboring countries' refugees and to persons seeking political asylum. In 1999 the Government agreed to accept asylum applications from Rwandans who had been barred from seeking asylum in 1997 and 1998. During the year, a relatively small number of Rwandans who feared for their safety were granted asylum by the Government and appeals by others who petitioned for asylum were pending at year's end. The Government continues to offer first asylum to nearly 500,000 refugees from Burundi and the Democratic Republic of the Congo. There were 368,448 Burundian, 110,412 Congolese, and 27,372 Rwandan refugees living in refugee camps in the country by year's end. In addition, there are at least 200,000 other Burundian refugees in the country who have lived in settlements since the early 1970's.

The Government arrested, detained, and forcibly expelled 80 Rwandan and 580 Burundians during the year.

Many of these refugees reportedly were denied the opportunity to collect their belongings or contact their families prior to being expelled. The refugees who were forcibly returned were living outside UNHCR camps and included Rwandans living in the country since the 1960's. The returns were ordered by the regional commissioner, reportedly without the involvement of higher government officials; however, the Ministry of Home Affairs took no action to reprimand the regional commissioner for the expulsions. In late June, the regional commissioner gave the refugees the choice of returning to their countries of origin or moving into UNHCR camps. The regional commissioner reportedly also gave the refugees the option of paying the required fees to become residents in the country, which were too expensive for the refugees to pay. In December a group of 1,500 of the refugees left the country for Rwanda. In February the Government forcibly returned two Rwandans and three Burundians to Rwanda. The number of Burundian refugees who were returned forcibly reportedly decreased after June and July, when the Government began to send refugees outside of refugee camps to the UNHCR rather than forcibly returning them to their countries of origin.

Refugee camps in the west were plagued by food shortages, overcrowding, and malaria outbreaks during the year. Refugee camps were large and overcrowded, and the authorities restricted employment opportunities. Women and girls in refugee camps suffered a high level of rape and gender abuse perpetrated by other refugees. There were reports that women and girls were raped when they left the camps for daily tasks, such as collecting firewood. The Government does not adequately investigate, prosecute, or punish perpetrators of abuses in refugee camps. There is no mechanism within refugee camps to punish abusers, and most cases are not referred to local authorities. Police lack special training in the area of domestic abuse, and local and traditional courts, which both handle domestic violence cases, lack necessary resources. Among Burundian refugees, mediation councils called *abashingatahe*, comprised of male refugee elders, often handle domestic abuse cases (see Section 1.e). There were reports that some refugees engage in vigilante justice within camps, occasionally beating other refugees. There are nine camps and one long-term transit center for Rwandan refugees in the country.

There is some resentment and hostility against Burundian refugees because of the availability of particular goods and services for refugees that are not available for the local population; however, during recent years, the UNHCR, NGO's, and international organizations have made many of these services available for the local population, thereby alleviating many tensions (see Section 1.c.).

There was continuing concern over violence allegedly perpetrated by some armed Burundian and Rwandan refugees, although such violence has diminished since 1999. Local officials reported incidents of killings, banditry, armed robbery, and violent crime, perpetrated by refugees in the areas surrounding refugee camps (see Sections 1.a. and 1.c.). There were unconfirmed reports that the Burundian Government hired mercenaries to invade refugee camps, although the Burundian Government strongly denies these reports.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

A multiparty political system was introduced officially in 1992, and in 1995 for the first time in more than 30 years, citizens exercised their right to change their government through national elections for president and parliament. On October 29, the second multiparty national elections were held on the mainland and Zanzibar. On the mainland, international observers concluded that the elections were free and fair and conducted peacefully; however, in Zanzibar, the vote was marred by irregularities, voter intimidation and politically motivated violence. The incumbent President of the mainland, Benjamin Mkapa, was reelected with 71 percent of the vote. The ruling CCM party made significant gains in its majority in Parliament, winning 167 out of 181 seats. Opposition candidates gained 11 seats in 6 of the 19 mainland regions giving them a total of 14 seats on the mainland, and the CUF won 15 seats in Zanzibar. The CUF continued to refuse to recognize the election results in Zanzibar and to demand new elections, and CUF elected representatives are boycotting the union and Zanzibar parliaments.

In late 1996, following its loss in a by-election, the Government issued new directives limiting political activity and fund raising on the grounds of maintaining order.

The Government continued to harass its opponents and arrested opposition politicians for holding meetings, distributing information, and other acts that it regarded as seditious (see Sections 1.d. and 2.b.). The authorities forcibly dispersed a number of political rallies during the period prior to and after the October elections (see Section 2.b.) In October police officials pulled opposition leader Augustine Mrema off of a platform in Kigoma during a campaign rally before he had finished speaking; he had a permit to speak for an additional 30 minutes. In May 1999, Mrema had been prohibited from running for reelection by a High Court injunction that stated that he was ineligible to run because he had changed political parties, and had not yet been designated formally as chairman of his new party. The injunction against Mrema was dropped after the Court of Appeals ruled that the lower court had no grounds to prohibit his nomination as the Labor Party chairman in order to be eligible for presidential nominations. In October, police forced opposition leader John Cheyo to leave a campaign platform in Morogoro for speaking after the legal deadline for campaign rallies of 6

p.m. When Mr. Cheyo resisted, police threatened him with a police baton and physically removed him from the platform. On October 29, Fortunatus Masha, an opposition candidate who was vice-chairman of his party was beaten and injured by police in Mwanza district during an altercation at a ballot counting center over possible ballot rigging in favor of the CCM party.

In January the authorities dropped the charges against Dr. Walid Kabouru, the Kigoma M.P. and the national chairman of the Chadema Party; he had been arrested in 1999 for inciting the public to violence as a result of Chadema's challenge to the results of a local by-election. After 35 days in detention, Kabouru was released with no charges filed against him (see Sections 1.d.).

On April 1, police broke into a CUF branch office in Zanzibar during an indoor meeting and destroyed property (see Section 1.c.).

In August local authorities forced persons attempting to register to vote in Mwanza to provide documentary proof that they had paid local government taxes before they allowed them to register, even though there is no legal requirement for voters to prove payment of taxes to register.

The Constitution of Zanzibar provides citizens with the right to change their government peacefully; however, this right was circumscribed severely. In June 1999, a Commonwealth-brokered agreement between the ruling CCM party and the opposition CUF party was signed, but its provisions were not implemented fully during the year. While both parties failed to fulfill parts of the accord, impartial observers agree that the Government of Salmin Amour in Zanzibar did not appear to act in good faith. The Zanzibar Government refused to reform its electoral commission, a provision that was central to the agreement, and the Commonwealth Agreement was not implemented during the year. In Zanzibar there were credible reports of irregularities during the voter registration process conducted in August in preparation for the October elections. The ruling CCM party was accused by several opposition parties of illegally registering mainland citizens as voters in Zanzibar. Some transportation operators were asked by union officials to transport citizens from the mainland to Zanzibar without charge. One operator reported that his family received threatening telephone calls at home for refusing to comply with the request. Shehas (village headmen) were responsible for validating residency requirements for voting in the elections. The majority of shehas were CCM members, and international monitors reported that in some cases they abused their discretion during the registration process. There also were credible reports that CUF supporters attempted to intimidate legally registered voters believed to be CCM supporters in Zanzibar. The homes of several long-term residents of mainland origin reportedly were stoned, and in August, three residences were burned down, although no one claimed responsibility for these actions. Subsequently, some occupants decided to leave Zanzibar or to send family members to the mainland until after the election.

Voting irregularities during the October 29 elections included the late arrival and absence of ballots, and the late opening of polling stations. The Zanzibar Electoral Commission (ZEC) stopped balloting and counting throughout Zanzibar at 5:30 in the evening, even in locations that did not have ballot shortages. Police and some officials from the Zanzibar Electoral Commission were implicated in the voting irregularities. Police officers, accompanied by ZEC officials, seized ballot boxes in many constituencies, including the entire island of Pemba, and most of the ballot boxes were not under independent or opposition supervision after they were seized. Four groups of international election observers criticized the Zanzibar vote and called for a re-run election in all of the Zanzibar constituencies; however, the Government only announced new elections in 16 of the 50 constituencies to be held on November 5.

Voter turnout for the new elections was low. The opposition boycotted the re-run election, claiming that the elections already had been compromised. After the re-run, the ruling party announced that it had won all of the constituencies in Zanzibar and four constituencies on Pemba (where they previously did not hold any seats). The final results of the re-run election gave the ruling CCM party 34 seats in the 50-seat House of Representatives and 35 seats in the 50-seat National Assembly. CCM candidate Amani Karume was declared the new Zanzibari President on November 7.

Since the 1995 elections, government security forces and CCM gangs have harassed and intimidated CUF members on both main Zanzibar islands, Pemba and Ugunja, and such incidents sharply increased in the 3 months before the October elections. Security forces forcibly dispersed gatherings and intimidated, harassed, arrested and beat persons (see Sections 1.c., 1.d. and 2.b.). During the November 5 re-run elections, police beat and reportedly tortured opposition officials (see Section 1.c.). Almost all international donors had suspended direct assistance to Zanzibar in response to the authorities' human rights abuses in 1995, and the suspension remained in effect by year's end.

In November a bomb exploded at a primary school in Stone Town in Zanzibar at the location of a polling office for the November 5 revote (see Section 1.c.). In December four persons reportedly were arrested for the

bombing; the four remained in custody at year's end (see Section 1.d.).

Women are underrepresented in government and politics. There are no legal restrictions on the participation of women in politics and government. There are 61 seats in Parliament that are occupied by women; 12 female M.P.'s are elected members of the CCM; 47 female M.P.'s occupy "Special Women" seats which are appointed by political parties based on the elected percentages of the constituent seats, and one M.P. was nominated by President Mkapa. There is one seat in the House of Representatives occupied by a woman. On February 10, Parliament passed the 13th Amendment to the Union Constitution, which requires 20 percent of seats in Parliament to be occupied by women. President Mkapa ratified the amendment in February. Three of the Cabinet's 27 ministers are female.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government has obstructed the formation of local human rights groups. Persons seeking to register human rights NGO's, such as the Tanzania Human Rights Education Society, complained that the Ministry of Home Affairs continued to delay action on their applications (see Section 2.b.). This hampered their access and efforts to monitor violations of human rights. The Government continued to refuse registration of the African Human Rights and Justice Protection Network on the grounds that it was politically oriented (see Section 2.b.). The Government had withheld registration from the NGO Defenders of Human Rights in Tanzania for more than 3 years before finally denying it registration in 1999. During the year, the Government appealed a High Court decision ordering the reinstatement of the National Women's Council, an NGO that the Government had deregistered in 1997 but the Court had not heard the case by year's end. The National Women's Council continued to operate at year's end (see Section 2.b.). At year's end, the ICRC was awaiting a response from the Government to its application for accreditation as a legal entity.

Government officials have stated that international human rights groups are welcome to visit the country; several human rights organizations operated freely in the country and report little government interference. Amnesty International visited during the year, and had discussions both within the Government and among NGO's, concerning the formation of a human rights commission; however, sharp differences on the independence of the commission were not resolved by year's end. In February AI lobbied parliamentarians to create an independent human rights commission; however, the Government refused on the grounds that the President's Permanent Commission of Inquiry, which focuses on civil servant claims against the Government, could serve in both capacities. On November 20, President Mkapa announced to the National Assembly that the Government would establish a Human Rights and Good Governance Committee; however, the Committee would not be independent from the Government.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on nationality, tribe, origin, political affiliation, color, or religion. Discrimination based on sex, age, or disability is not prohibited specifically by law but is discouraged publicly in official statements. The Government issued several statements beginning in August encouraging religious and ethnic tolerance during the election campaign. Discrimination against women and religious and ethnic minorities persisted. Religious and ethnic tensions in society exist.

Women

Violence against women remained widespread. Legal remedies exist in the form of assault provisions under the Criminal Code; however, in practice these provisions are difficult to enforce. The Marriage Act of 1971 makes a declaration against spousal battery, but does not prohibit it or provide for any punishment. Traditional customs that subordinate women remain strong in both urban and rural areas and local magistrates often upheld such practices. Women may be punished by their husbands for not bearing children. It is accepted for a husband to treat his wife as he wishes, and wife beating occurs at all levels of society. Cultural, family, and social pressures prevent many women from reporting abuses to the authorities. Nonetheless, in 1998 the Ministry of Home Affairs noted that an average of 10,000 cases of wife beating are reported annually. A local NGO, Tamwa, reports that as many as 6 out of 10 women are beaten by their husbands. In 1998 the Ruvuma regional crime officer noted that a large number of women are killed by their husbands or commit suicide as a result of domestic battery. Government officials frequently make public statements criticizing such abuses, but action rarely is taken against perpetrators. Police often have biases against pursuing domestic abuse cases and have demanded bribes to investigate allegations. The Sexual Offenses Special Provisions Bill provides for life imprisonment for persons convicted of rape and child molestation. Several persons were prosecuted and convicted for rape and battery under this law during the year. Women in refugee camps suffered a high level of rape and gender abuse perpetrated by other refugees (see Section 2.d.).

Several NGO's provide counseling and education programs on women's rights problems, particularly sexual harassment and molestation.

There is no legal protection for adult women who undergo FGM. The Sexual Offenses Act, which prohibits cruelty against children, only protects persons under 18 years of age.

During the year, Parliament amended the Constitution to prohibit sexual harassment against women in the workplace by a person in authority. During the year, several persons were arrested under the new law. Male colleagues sometimes harass women seeking higher education, and the authorities largely have ignored the practice. Although the Government advocates equal rights for women in the workplace, it does not ensure these rights in practice. In the public sector, which employs 80 percent of the salaried labor force, certain statutes restrict women's access to some jobs or hours of employment. For example, in general, women may not be employed between 10 p.m. and 6 a.m., although this restriction is usually ignored in practice (see Section 6.e.). While progress on women's rights has been more noticeable in urban areas, strong traditional norms still divide labor along gender lines and place women in a subordinate position. Discrimination against women is most acute in rural areas, where women are relegated to farming and raising children, and have almost no opportunity for wage employment. Custom and tradition often hinder women from owning property such as land, and may override laws that provide for equal treatment.

The overall situation for women is less favorable in Zanzibar, which has a majority Muslim population. Although women generally are not discouraged from seeking employment outside the home, women there, and on many parts of the mainland, face discriminatory restrictions on inheritance and ownership of property because of concessions by the Government and courts to customary and Islamic law. While provisions of the Marriage Act provide for certain inheritance and property rights for women, the application of customary, Islamic, or statutory law depends on the lifestyle and stated intentions of the male head of household. Thus far, the courts have upheld discriminatory inheritance claims, primarily in rural areas. Under Zanzibari law, unmarried women under the age of 21 who become pregnant are subject to 2 years' imprisonment.

Children

Government funding of programs for children's welfare remained miniscule. The Government has made some constructive efforts to address children's welfare, including working closely with UNICEF and other international and local organizations to improve the well being of orphans and neglected children. Child labor is a problem, and there were reports that forced labor of children occurred (see Sections 6.c and 6.d.). There were unconfirmed reports in previous years that children were trafficked to work in mines and other businesses (see Sections 6.c. and 6.f.). A 1998 study funded by the International Labor Organization (ILO) reported a growth in child prostitution, including forced prostitution (see Section 6.c.). The Sexual Offences Special Provisions Act of 1998 criminalizes child prostitution and child pornography. The age criterion for protection from sexual exploitation is 18 years. Under the law, sexual intercourse with a child under 18 years is considered rape regardless of consent; however, the law is not effective in practice because it is customary for girls as young as 14 years of age to be considered adults for the purposes of sexual intercourse and marriage.

The law provides for 7 years of compulsory education through the age of 15; however, education is no longer free on both the mainland and on Zanzibar. Fees are charged for books, enrollment, and uniforms, with the result that some children have been denied an education. In some cases, children were unable to attend school because poorly paid teachers demanded money to enroll them. The primary school dropout rate is between 30 and 40 percent. The literacy rate is approximately 70 percent; however, for girls it is only 57 percent compared with 80 percent for boys. The rate of girls' enrollment in school is lower than that of boys, and generally declines with each additional year of schooling. In some districts, there was a decline in attendance as the result of early marriage, often at the behest of parents. In the past, girls who became pregnant were expelled from school. Despite a 1996 law to permit pregnant girls to continue their education following maternity absences, the practice of forcing pregnant girls out of school remains in effect. Nevertheless, there have been across the board increases in the rate of girls' participation since 1990.

Although the Government officially discourages female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, it still is performed at an early age in approximately 20 of the country's 130 main ethnic groups. According to a 1996 health survey conducted by the Bureau of Statistics, FGM affects 18 percent of the female population. In some ethnic groups, FGM is compulsory, and in others, a woman who has not undergone the ritual may not be able to marry. Government data show this to be a problem that varies by region, with the most affected regions being Arusha (81 percent of women), Dodoma (68 percent), Mara (44 percent), Kilimanjaro (37 percent), Iringa (27 percent), Tanga/Singida (25 percent), and Morogoro (20 percent). FGM is almost nonexistent in the rest of the country. There is no law that specifically prohibits FGM. The country's educational curriculum does not include instruction on FGM but the issue is covered occasionally in secondary schools. Government officials have called for changes in practices that adversely affect women, and the 1998 Sexual Offenses Special

Provisions Bill, which prohibits cruelty against children, has been used as the basis for campaigns against FGM performed on girls; however, police do not have adequate resources to protect victims. Some local government officials have begun to combat the practice and have convicted and imprisoned some persons who performed FGM on young girls, although there were no reported prosecutions during the year. Seminars sponsored by various governmental organizations and NGO's are held regularly in an attempt to educate the public on the dangers of FGM and other traditional practices. These practices include the tradition of inherited wives, which critics contend contributes to the spread of HIV/AIDS, and child marriages, which are sanctioned with parental consent under the Marriage Act of 1971 for girls 12 years of age or older. While some authorities believe that FGM is declining, a 1996 government report has suggested that it is on the rise, especially in the central region. In 1998 the Dodoma Traditional Practices and Beliefs Committee, supported by a World Health Organization grant, began a program to eliminate FGM in the Dodoma region. The Ministry of Health began an educational campaign on FGM as part of its Safe Motherhood Initiative. The enforcement of policies to stop FGM remains difficult because some regional government officials are in favor of the practice or fear speaking out against it because of the power of traditional leaders.

People with Disabilities

The Government does not mandate access to public buildings, transportation, or government services for the disabled. Although there is no official discrimination against the disabled, in practice the physically disabled effectively are restricted in their access to education, employment, and provision of other state services due to physical barriers. The Government provides only limited funding for special facilities and programs.

Religious Minorities

While Muslim-Christian relations are generally stable, some urban Muslim groups are sensitive to perceived discrimination in government hiring and law enforcement practices. The mainland is 60 percent Christian and 40 percent Muslim, whereas Zanzibar is 97 percent Muslim. The Muslim community claims to be disadvantaged in terms of its representation in the civil service, government, and parastatals, in part because both colonial and early post-independence administrations refused to recognize the credentials of traditional Muslim schools. As a result, there is broad Muslim resentment of certain advantages that Christians are perceived to enjoy in employment and educational opportunities. Muslim leaders have complained that the number of Muslim students invited to enroll in government-run schools still was not equal to the number of Christians. In turn Christians criticize what they perceive as lingering effects of undue favoritism accorded to Muslims in appointments, jobs, and scholarships by former President Ali Hassan Mwinyi, a Muslim. Despite these perceptions, there does not appear to be a serious widespread problem of religious discrimination in access to employment or educational opportunities.

A few leaders in the Christian and Muslim communities appear to be fomenting religious tension between their groups. Christian leaders reportedly have used the 1998 bombing of the U.S. Embassies in Dar Es Salaam and Nairobi, Kenya, as a justification to criticize Muslims.

There are signs of increasing tension between secular and fundamentalist Muslims, as the latter feel that the former have sold out to the Government. The fundamentalist Muslims accuse the Government of being a Christian institution, and Muslims in power as being only interested in safeguarding their positions. In these circles, secular Muslims who drink alcohol or marry Christian women are criticized severely. Muslim fundamentalists attempted, unsuccessfully, to introduce Muslim traditional dress into the national school system. Fundamentalist groups also have exhorted their followers to vote only for Muslim candidates.

National/Racial/Ethnic Minorities

In the past, the Government discriminated against the Barabaig and other nomadic persons in the north. These ethnic groups continued to seek compensation for past government discrimination because of government efforts to make them adopt a more modern lifestyle and to restrict their access to pastoral lands that were turned into large government wheat farms. In 1994, 6 Barabaig plaintiffs filed a class action suit, which included 750 members of the Barabaig tribe, challenging their eviction by the National Food Corporation, a government parastatal organization. In 1994 the High Court ruled that three of the plaintiffs had the right to return to their land and awarded them damages of 20,000 shillings, 60,000 shillings, and 200,000 shillings respectively. However, the court found that the 3 other plaintiffs did not prove their cases and refused to award them compensation; the court also denied the cases of the 750 members of the tribe for not following correct procedures in filing their claim. The three plaintiffs who received compensation appealed the case, arguing that the compensation was not adequate. The other 3 plaintiffs and the 750 tribe members also appealed the denial of their case; the appeals were scheduled to be heard in February 2001.

The Asian community, which is viewed unfavorably by many African citizens, has declined by 50 percent in the

past decade to about 50,000 persons. There are no laws or official policies that discriminate against Asians; however, as the Government places greater emphasis on market-oriented policies and privatization, public concern regarding the Asian minority's economic role has increased. This has led to demands by small, populist opposition parties for policies of "indigenization" to ensure that privatization does not increase the Asian community's economic predominance at the expense of the country's African population.

On October 6, 21 persons were beaten to death and 50 were injured during a clash between a group of ethnic Sonje and Maasai in the Mererani region. The incident began when a group of Sonje youths stole gemstones from a Maasai miner and other Maasai retaliated with violence. However, the incident appeared to be economically motivated.

Section 6 Worker Rights

a. The Right of Association

Both the Constitution and the 1955 Trade Union Ordinance provide for freedom of association for workers, and the Government respected this right in practice. Worker rights are handled separately by the Union and Zanzibar Governments. The Union Government enforces labor laws for the mainland and the Zanzibar Government enforces legislation specific to Zanzibar and Pemba islands. The labor law that applies to the mainland applies to both public and private sector workers, but restricts the right of association for those workers broadly defined as "essential." The 1999 labor law in Zanzibar applies only to private sector workers and does not protect trade union members from anti-union discrimination.

On July 1, the 1999 Trade Union Act abolished the umbrella organization, the Tanzania Federation of Trade Unions (TFTU) and required its 11 independent unions to separately register with the Registrar of Trade Unions. The act permitted workers to form unions voluntarily without requiring membership in an umbrella organization. All of the 11 unions had registered by year's end.

The 1999 Act gives the Registrar of Trade Unions the power to restrict freedom of association by allowing the Registrar to interfere union activities. The law permits the imposition of large fines, imprisonment, or both for failing to register a trade union. The Registrar is also permitted to deregister the smaller of two trade unions when more than one exists in an industry and to order the smaller union to remove members. The Registrar can suspend a trade union for contravening the act or the union's own rules, suspend a union for 6 months on grounds of public order or security, and invalidate the union's international trade union affiliation if certain internal union procedures are not followed. The Registrar did not use these powers during the year.

Overall, only about 10 to 15 percent of the country's 2 million wage earners are organized. Registered trade unions nominally represent 60 percent of workers in industry and government. All workers, including those classified broadly as "essential" service workers, are permitted to join unions, but essential workers are not permitted to strike.

There are no laws prohibiting retribution against legal strikers; however, workers have the legal right to strike only after complicated and protracted mediation and conciliation procedures leading ultimately to the Industrial Court, which receives direction from the Ministry of Labor and Youth Development. If a union is not satisfied with the decision of the Industrial Court, it may then conduct a legal strike. The mediation and conciliation procedures can prolong a dispute by months without resolving it. During the year, the ILO submitted to the Union Government a list of recommended changes to the law to bring into conformity with ILO standards, but the Government had not taken action by year's end. Frustrated workers have staged impromptu, illegal wildcat strikes and walkouts pending a resolution of their cases in the Industrial Court. The last major strike took place in 1998 at Muhimbili Medical Center when more than 70 percent of the doctors and nurses went on strike for higher pay and better working conditions. In 1998 the Zanzibar Government pledged to review the island's labor laws in an effort to improve industrial relations and minimize labor disputes; however, there was no progress on this issue by year's end.

In 1998 the regional ILO representative called on the Government to ratify conventions on freedom of association, minimum working age, equal opportunity, and freedom from discrimination. In April the Government ratified the convention on freedom of association. The regional ILO office continued to call upon the Government to ratify the other core conventions.

b. The Right to Organize and Bargain Collectively

Collective bargaining is protected by law but does not apply to the public sector. The Government sets wages for employees of the Government and state-owned organizations administratively, although privatization and

reductions in public sector employment have reduced such employees to about 5 percent of the work force.

With the abolition of the TFTU, unions directly negotiate with the Association of Tanzanian Employers on behalf of private sector members. Collective agreements must be submitted to the Industrial Court for approval and may be refused registration if they do not conform with the Government's economic policy. The ILO has observed that these provisions are not in conformity with ILO Convention 98 on Collective Bargaining and the Right to Organize. None of the newly registered unions concluded new collective bargaining agreements by year's end. The Security of Employment Act of 1964 prohibits discriminatory activities by an employer against union members. Employers found guilty of antiunion activities are required under the law to reinstate workers. The Warioba Commission, in its White Paper Report of 1998, found that bribes often determine whether a worker dismissed from his job actually is reinstated.

There are no export processing zones (EPZ's) on the mainland, but there are three in Zanzibar. Working conditions are comparable to those in other areas. Labor law protections apply to EPZ workers.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor; however, there were reports that it occurred (particularly of children). In 1999 the Government repealed the Human Resources Deployment Act of 1983, which allowed forced labor and forced relocation of citizens to ensure productive employment (see Section 2.d.). The new law, the Employment Services Promotion Act of 1999, does not permit either and instead promotes self-employment. However, in some rural areas, villagers still are obligated to work in the village community gardens or on small construction projects, such as repairing roads. The Constitution does not specifically prohibit forced or bonded child labor, and there were reports that it occurred. There were reports of children forced into prostitution by parents or guardians in need of extra income, and there were unconfirmed reports in previous years that children were trafficked to work in mines and other businesses (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law provides for 7 years of compulsory education through age 15 (see Section 5). In accordance with ILO Convention 138, which the Government ratified in 1999, the Government prohibits children under the age of 14 from working in the formal wage sector in both urban and rural areas, and the Government enforces this prohibition; however, the provision does not apply to children working on family farms or herding domestic livestock. The minimum age for work of a contractual nature in approved occupations is set at 15 years. Children between the ages of 12 and 15 may be employed on a daily wage and on a day-to-day basis, but they must have parental permission and return to the residence of their guardian at night. Approximately 250,000 children engage in child labor.

The law prohibits young persons from employment in any occupation that is injurious to health and that is dangerous or otherwise unsuitable. Young persons between the ages of 12 and 15 may be employed in industrial work but only between the hours of 6 a.m. and 6 p.m., with some exceptions. The Ministry of Labor and Social Welfare and Youth Development is responsible for enforcement; however, the number of inspectors is inadequate to police conditions. The effectiveness of government enforcement reportedly has declined further with increased privatization.

Approximately 3,000 to 5,000 children engage in seasonal employment on sisal, tea, tobacco, and coffee plantations. Children working on plantations generally receive lower wages than their adult counterparts, although they may be in comparable jobs. Work on sisal and tobacco plantations is particularly hazardous and detrimental to children. From 1,500 to 3,000 children work in unregulated gemstone mines. Girls often are employed as domestic servants, mostly in urban households sometimes under abusive and exploitative conditions. In the informal sector, children assist their parents in unregulated piecework manufacturing. Children are engaged in labor in the areas of mining, domestic service, fishing, commercial agriculture and prostitution.

Several government ministries, including the Ministry of Labor and Youth Development, the Bureau of Statistics, and the Department of Information Services, have special child labor units. The Government is working with NGO's to establish a specific prohibition against child labor. In 1999 the Government drafted a National Child Labor Elimination policy designed to bring national law into compliance with international conventions, and in December 1999 the Government invited labor organizations and NGO's to comment on the draft law. The Government has worked with the ILO's International Program on the Elimination of Child Labor to develop a national plan of action to address the issue, and in April implemented a program for the elimination of child labor. The Government had not ratified the ILO Convention 182 on the worst forms of child labor by year's end.

The Constitution does not specifically prohibit forced or bonded child labor, and there were reports of children forced into prostitution by their parents or their guardians; there also were unconfirmed reports in previous years that children were trafficked to work in mines and other businesses (see Sections 5, 6.c., and 6.f.).

e. Acceptable Conditions of Work

There is a legal minimum wage for employment in the formal sector. The legal minimum wage is approximately \$38 (30,000 shillings) per month. Even when supplemented with various benefits such as housing, transport allowances, and food subsidies, the minimum rate is not always sufficient to provide a decent standard of living for a worker and family, and workers must depend on their extended family or on a second or third job. Despite the minimum wage, many workers, especially in the small but growing informal sector, are paid less.

There is no standard legal workweek; however, a 5-day, 40-hour workweek is in effect for government workers. Most private employers retain a 6-day, 44- to 48-hour workweek. In general, women may not be employed between 10 p.m. and 6 a.m. Several laws regulate safety in the workplace. An Occupational Health and Safety Factory Inspection System, set up with the assistance of the ILO, is managed by the Ministry of Labor and Social Welfare and Youth Development; however, its effectiveness is limited. Labor standards are not enforced in the informal sector.

The Employment Services Promotion Act of 1999 provides for the creation of a facility to promote employment by creating self-employment opportunities, allows the Government to collect reliable data and information on vacancies for the unemployed, and facilitates employment with other agencies and the private sector. However, the new facility was not funded by year's end.

Union officials have claimed that enforcement of labor standards is effective in the formal sector, but no verification studies have been performed. Workers may sue an employer through their union if their working conditions do not comply with the Ministry of Labor's health and environmental standards. Workers who have lodged and won such complaints have not faced retribution; however, workers do not have the right to remove themselves from dangerous situations without jeopardizing their employment.

f. Trafficking in Persons

The law does not prohibit trafficking, and in previous years there were unconfirmed reports that children were trafficked away from their families to work in mines and other business entities; however, there were no such reports during the year. In 1998 there were unconfirmed reports that senior government officials were involved in the practice; the ILO and a visiting foreign delegation were unable to confirm the reports.

[End.]